

Remarks/Arguments

Reconsideration of the application is requested in view of the amendments above, attachment hereto, and comments which follow.

Taking the matters raised by the examiner in turn, in relation to numbered sections 1 through 3 of the office action, the specification has been amended as detailed below.

Regarding numbered section 1, the Examiner has requested a new Abstract for allegedly incorporating more than one paragraph. A proposal is amended hereto, but it is submitted that the Abstract, as filed with the application, should be that version used. The Abstract filed with the application was a single paragraph, but had four indented portions. Under M.P.E.P. 608.01(b), the Abstract should be narrative in form and generally limited to a single paragraph within the range of 50-150 words. Applicant respectfully submits the filed Abstract complies with the rules and it is submitted that the version as filed is more readable than that attached, and should be the version that is utilized for this application. Nevertheless, if the Examiner believes that an amended Abstract must be utilized, then that attached can be employed.

Regarding numbered section 2, the Examiner has rejected claims 1-6 under 35 U.S.C. 112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains. The Examiner contends that it is unclear how the value of R'_r is calculated in equations (2) and (3) on page 9 of the specification and it is unclear how equation (2) was derived.

Applicant respectfully submits that equations (2) and (3) must be read in connection with Figure 2 of the application wherein Fig. 2 is a known classical equivalent circuit diagram of an induction motor which is well-known in the technical field to which this

application pertains. For example, Fig. 2 is substantially the same as Fig. 4.10 in the prior art reference Peter Vas, "Parameters Estimation...", Oxford Press, pp. 116-117, 1993 which was submitted in the parent application and considered by the Examiner on May 18, 2001. A similar diagram is also found in the EPE '97 reference, "A Practical Identification Scheme..." by Godbersen et al., which was also submitted and considered in the parent application. Applicant has re-submitted these references with this response.

Fig. 2 as well as equations (2) and (3) are textbook equations covering material known to those skilled in the field of induction motor technology. As such, a person skilled in the art, would realize that equation (2) is simply a mathematical description of a relation which exists in Fig. 2, because of the structure of the diagram presented in Fig. 2. Similar considerations apply to equation (3). Accordingly, both equations (2) and (3) are derived from Fig. 2, which in turn is a classical representation of an induction motor

Regarding numbered section 3, the Examiner rejected claims 1-6 under 35 U.S.C 112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner contends that is unclear how the ohmic stator resistance, the leakage inductances and the main inductance are interrelated and associated with each other.

Regarding these claim rejections, the examiner contends that it is unclear how the various resistances and inductances are interrelated. Applicant is claiming a method for automatically measuring a certain parameter of an asynchronous machine. Such a machine has operating parameters given and governed by its construction and the common rules and laws of physics and electrodynamics. The Applicant respectfully submits that the Examiner has not countered any specific technical reasons of lack of enablement. Furthermore, all

parameters mentioned in the claims are defined, explained and listed in the application with reference to the drawings, which include equivalent diagrams of the asynchronous machine to which the claims refer.

Under M.P.E.P. 2164.01 (the test of enablement), to determine whether a claim is supported by the specification requires a determination of whether that disclosure, when filed, contained sufficient information regarding the subject matter of the claims as to enable one skilled in the art to make and use the claimed invention. As stated in this M.P.E.P. section, it has been interpreted to require that the claimed invention be enabled so that any person skilled in the art can make and use the invention without undue experimentation. Accordingly, a “patent need not teach, and preferably omits, what is well known in the art.” M.P.E.P. 2164.01 *citing In re Buchner*, 929 F.2d 660, 661, 18 USPQ2d 1331, 1332 (Fed. Cir. 1988).

Additionally, the amount of information needed to enable the invention is inversely related to the amount of knowledge in the art as well as the predictability in the art. M.P.E.P. 2164.03 *citing In re Fisher*, 427 F.2d 833, 839, 166 USPQ 18, 24 (CCPA 1970). Thus, the more that is known in the art about the nature of the invention, such as induction motor technology, then the less information is needed in the specification. M.P.E.P. 2164.03. Although references are not required by the Examiner, references should be supplied to support a *prima facie* case of lack of enablement. Applicant respectfully notes, however, that specific technical reasons of lack of enablement are required under the Examiner’s burden. M.P.E.P. 2164.04.

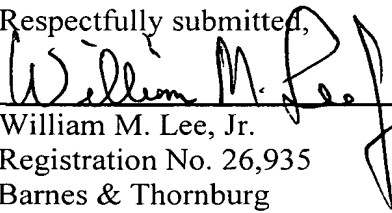
Accordingly, the applicant submits that the specification is adequate to support the claims, and the claims clearly and particularly point out and distinctly claim what was

invented by the applicant. Further and favorable reconsideration by the examiner is therefore urged.

As this response is being sent during the fourth month following the examiner's Office Action, an appropriate petition for extension of time is also submitted herewith.

November 10, 2003

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William M. Lee, Jr.", is written over a horizontal line. The signature is stylized with a large, looped "L" and a long, sweeping tail.

William M. Lee, Jr.

Registration No. 26,935

Barnes & Thornburg

P.O. Box 2786

Chicago, Illinois 60690-2786

(312) 214-4800

(312) 759-5646 (fax)